

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CRAIG B. DAME and SACRED CORPORATION,

Plaintiffs,

v.

8:23-CV-1192
(AMN/DJS)

R.L. VALLEE, INC.,

Defendant.

R.L. VALLEE, INC.,

Plaintiff,

v.

8:23-CV-1202
(AMN/DJS)

SUBWAY REAL ESTATE CORP., *et al.*,

Defendants.

ORDER

Presently pending is R.L. Vallee's Motion to Consolidate these cases. *Dame* Dkt. No. 9; *Vallee* Dkt. No. 8. Plaintiffs in the *Dame* action consent to consolidation. Text Minute Entry for Nov. 1, 2023. Defendants in the *Vallee* action have not filed any opposition to the Motion.

The Complaint in each action involves similar factual and legal issues related to lease agreements between the parties. Upon review of the Complaints and the papers in support of the present Motion, the Court finds that the cases have sufficient commonality of issues and parties to warrant consolidating the cases. This Court further finds that the benefits of consolidation are not outweighed by any risk of prejudice or jury confusion.

The effect of such consolidation will be judicial economy and preserving the Parties' resources, as well as avoiding disparate rulings in separate actions.

Accordingly, because this Court finds that the Related Actions have sufficient commonality of law and fact and consolidation does not increase the risk of an unfair outcome, it is

ORDERED, that the Motions to Consolidate are **GRANTED**. The *Dame* case shall be designated as the lead case and the *Vallee* case designated as a member case.

IT IS SO ORDERED.

Date: January 11, 2024
Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge